

each page being adapted to hold two items of recorded media;
each page including two page halves connected together;
each page being substantially rigid;
the cover being fabricated from paperboard; and
the edge of the page connected to the cover being V-shaped in cross section
to provide a pocket for the adhesive.

REMARKS

The Examiner rejected claims 8-9, 13-15, and 18 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Applicant respectfully traverses the rejection.

With respect to claims 8 and 9, the Examiner has requested the Applicant to clarify the term "locking fingers." The Applicant respectfully directs the Examiner's attention to element 46 of the drawings which is described in the specification at the bottom of page 7 and the top of page 8. The term "locking finger" is understood by those of ordinary skill in the art to describe a projection having a ledge that accommodates a snap fit connection. Locking fingers typically pivot between locked and unlocked positions to hold two elements together. With respect to claims 13 and 14, the Examiner has asked the Applicant to clarify the term "planar portions." The Applicant respectfully directs the Examiner's attention to elements 64 of the drawings which are described at the bottom of page 8 and the top of page 9 in the specification. The Applicant submits that the specification speaks for itself and does not need further explanation. Each planar portion 64 defines a majority of the surface area of each page half 44. Planar portions 64 allow the printing on literature card 68 to be easily viewed because planar portions 64 do not distort the printing on the card when viewed by a user. The Examiner has also requested the Applicant to clarify the term "living hinge" in claim 18. The Applicant submits that the term "living hinge" is well known in the art and readily understood by those skilled in the art. The term "living hinge" has been used in countless patent claims

in Class 206 to describe a hinge that is defined by a thin area of material such that the hinge is integrally fabricated between two elements. The living hinges of the present invention are shown in Figs. 7-10 and described in the specification on page 6.

The Examiner also contends that the recitation regarding the pocket of claim 9 is vague and indefinite. The Examiner requests clarification. The Applicant submits that claim 9 is definite and clear. Claim 9 simply recites that the locking finger is disposed in a pocket to protect the locking finger. This arrangement is depicted in Fig. 5A with the pocket being identified by reference numeral 52. The Applicant respectfully requests the Examiner to review the specification's description of pockets 52, locking fingers 46, and the function of pockets 52.

The Examiner did not reject claim 7 but has requested the Applicant to clarify the recitation in claim 7 regarding the V-shaped pocket for the adhesive. The Applicant respectfully directs the Examiner's attention to Figs. 7-10 wherein edges 70 are shown to be V-shaped in cross section. This cross section is described on page 9 of the specification to provide a pocket to hold adhesive 72. The Applicant submits that the claim limitation is clear and definite.

The Examiner has not rejected claims 1, 2, 19, and 20 but has requested clarification of terms used in these claims. Specifically, in claims 1, 2, 19, and 20, the Examiner has requested clarification of the recitation "a page adapted to hold." The Examiner contends that this limitation is vague and indefinite. The Applicant respectfully traverses the contention and notes that the term "adapted" is frequently used in claims of patents in Class 206 to describe the configuration or arrangement of claim elements. The Applicant respectfully submits that the limitations are not vague and are definite. In addition, the Examiner has requested the Applicant to clarify the term "substantially rigid" in claims 1, 19, and 20. The Examiner has not rejected these claims but contends that the term is vague and indefinite. The Applicant respectfully traverses the Examiner's contention. The term "rigid" is defined by the dictionary to mean "stiff or unyielding; not pliant or flexible; hard." *Webster's Encyclopedic Unabridged Dictionary of the English Language, Gramercy*

Books, 1996. The Applicant has chosen to use the word "substantially" to define the rigidity of the pages to describe pages that have some degree of flexibility and are not perfectly rigid.

In view of the foregoing, the Applicant submits that the terms used in the claims are in full compliance with § 112 and respectfully requests the Examiner to withdraw the rejection and withdraw the Examiner's contentions regarding the vagueness of the claim terms. All of the claim terms used in the claims are fully supported in the specifications and drawings and are commonly used by those of ordinary skill in the art and are commonly used in patent claims in media packaging patents in Class 206. The Applicant now turns to the art-based rejections.

The Examiner rejected claims 1-4 and 12-18 as being anticipated by Weisburn '498. The Applicant respectfully traverses the rejection. The drawings clearly show that the media storage pages of Weisburn '498 are attached to each other but are not attached to spine 40/42. The straps (90) identified by the Examiner attach the pages together and do not attach the pages to the spine. The Applicant thus respectfully requests the rejection to be withdrawn.

The Examiner rejected claim 5 as being obvious in view of the combination of Weisburn '498 and House '468. The Applicant again submits that the Weisburn reference fails to disclose, teach, or suggest the limitation in independent claim 1 regarding the configuration of the pages with respect to the spine. In addition, claim 5 includes all of the limitations of claims 4, 3, and 2. The Applicant respectfully requests the rejection to be withdrawn.

The Examiner has rejected claims 6, 7, 10, and 11 as being obvious in view of Weisburn '498 in view of Udwin '015. Again, the Applicant submits that Weisburn '498 fails to disclose a media storage configuration wherein pages are connected to the spine of a cover in the manner recited in independent claim 1. Claims 6, 7, 10, and 11 each depend, in part, from independent claim 1. The addition of the Udwin reference fails to disclose a spine member and simply has media storage pages connected to front and rear covers that are connected together with a living

hinge. In view of the foregoing, the Applicant respectfully requests the rejection to be withdrawn.

The Examiner next rejected claims 8 and 9 as being obvious in view of Weisburn '498 in view of Youngs '731. Again, the Applicant submits that Weisburn '498 fails to disclose, teach, or suggest the page configuration recited in independent claim 1. Further, Youngs fails to disclose, teach, or suggest the limitations as well as the limitations of claims 8 and 9. The Applicant thus respectfully requests the rejection to be withdrawn.

The Examiner rejected claim 19 as being obvious in view of Roze '950 in view of House '468. The Applicant respectfully traverses the rejection. The page of the Roze reference is disclosed as being directly connected to other pages that are, in turn, connected to the front and rear cover members. The spine of the cover member is disclosed to the left of reference numeral 60 in Fig. 4. Fig. 4 clearly shows that nothing is connected to the spine. Fig. 4 shows that no pages are connected to the spine. In view of this disclosure, the Applicant respectfully requests the rejection to be withdrawn.

The Examiner rejected claim 20 as being obvious in view of Weisburn '498 in view of Roze '950. The Applicant submits that the Weisburn and Roze references fail to disclose, teach, or suggest a configuration where a page is connected to the spine of a cover with an adhesive as specifically recited in claim 20. The Weisburn '498 and Roze '950 references are discussed above. The Applicant thus respectfully requests the rejection to be withdrawn.

In addition to the allowability of the independent claims, the Applicant respectfully submits that the dependent claims are independently patentable.

In view of the foregoing, the Applicant respectfully requests reconsideration of the claims and most earnestly solicits the issuance of a formal notice of allowability for the claims. Please call Fred H. Zollinger, III at (330) 244-1174 if the Examiner has any questions after this amendment.

Respectfully submitted at Canton, Ohio this 16th day of December, 2002.

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CERTIFICATE OF MAILING

I hereby certify that this correspondence (Amendment A in response to paper number 6 dated August 14, 2002 in application serial no. 09/883,619 filed June 18, 2001) is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on this 16th day of December, 2002.


Vicki L. Hartzell

Amended Claims With Markings to Show Amendment

7. (Once amended) [The storage container of claim 6, wherein] A storage container for holding items of recorded media; the storage container comprising:
- a cover having a front cover member, a rear cover member, and a spine disposed between the front and rear cover members;
 - a page adapted to hold at least one item of recorded media;
 - the page having at least one edge;
 - the edge of the page being connected to the spine to connect the page to the cover; [and]
 - the front and rear cover members being moveable between open and closed positions;
 - each page being adapted to hold two items of recorded media;
 - each page including two page halves connected together;
 - each page being substantially rigid;
 - the cover being fabricated from paperboard; and
 - the edge of the page connected to the cover [is] being V-shaped in cross section to provide a pocket for the adhesive.